



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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MEMORANDUM

To: Dr. Kathryn MacDonald
Program Manager
Animal Care & Emergency Response
Virginia Department of Agriculture and Consumer Services

Sandra J. Adams
Commissioner
Virginia Department of Agriculture and Consumer Services

From: Justin I. Bell
Assistant Attorney General

Date: July 28, 2017

Subject: Letter of Assurance for Regulations for Determining Whether a Private Animal Shelter Meets the Purpose of Finding Permanent Adoptive Homes for Animals, 2 VAC 5-115.

I have reviewed the Virginia Board of Agriculture and Consumer Services' proposed Regulations for Determining Whether a Private Animal Shelter Meets the Purpose of Finding Permanent Adoptive Homes for Animals. In my view, as counsel to the Virginia Board of Agriculture and Consumer Services, these regulations may be promulgated pursuant to § 3.2-6500 et seq. of the *Code of Virginia*. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do

they appeal to conflict with any federal or state law currently in effect. This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.